

AMENDED IN SENATE APRIL 17, 2007

**SENATE BILL**

**No. 684**

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**Introduced by Senator Cox**

February 23, 2007

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An act to amend Section 14035.55 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 684, as amended, Cox. Intercity rail services: feeder buses.

Existing law authorizes the Department of Transportation to contract with Amtrak to provide intercity rail passenger services. Existing law also authorizes the department to provide funding to Amtrak to contract for feeder bus services operated in conjunction with the intercity trains, but subject to the restriction, among others, that the bus services be used only by passengers who are connecting to or from a train.

This bill would also authorize ~~these a feeder bus services service~~ contracted by ~~Amtrak to carry passengers traveling to or from a city or unincorporated community that is not otherwise served by a regular route of a~~ Amtrak to serve passengers traveling solely by bus between the City of Sacramento and the City of South Lake Tahoe and intermediate points if no other bus service is provided by a private intercity bus company. *The bill would also require the department to report to the Legislature in that regard by January 10, 2010.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 14035.55 of the Government Code is amended to read:

14035.55. (a) The Legislature finds and declares all of the following:

(1) Intercity passenger bus service provided by intercity bus companies on a regular-route basis is the only public mass transportation service in the state to provide surface transportation without public subsidy.

(2) The long-term maintenance of private sector intercity passenger service is of vital importance to the state.

(3) Intercity bus companies serve many communities throughout California, providing a network of connection points without equal by any other mode of public or private transportation.

(b) To the extent permitted by federal law, the department shall encourage Amtrak and motor carriers of passengers to do both of the following:

(1) Combine or package their respective services and facilities to the public as a means of improving services to the public.

(2) Coordinate schedules, routes, rates, reservations, and ticketing to provide for enhanced intermodal surface transportation.

(c) Except as authorized under subdivisions (e) and (f), the department may provide funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes only if all of the following conditions are met:

(1) The motor carrier is not a public recipient of governmental assistance, as defined in Section 13902(b)(8)(A) of Title 49 of the United States Code, other than a recipient of funds under Section 5311(f) of that title and code. This paragraph does not apply if a local public motor carrier proposes to serve passengers only within its service area.

(2) Service is provided only for passengers on trips where the passengers have had prior movement by rail or will have subsequent movement by rail, evidenced by a combination rail and bus one-way or roundtrip ticket, or service is also provided to or from a city or unincorporated community for passengers solely by bus if the city or community is not otherwise served by a regular route of an intercity passenger bus service provided by on State

1 *Highway Route 50 between the City of Sacramento and the City*  
2 *of South Lake Tahoe and intermediate points for passengers solely*  
3 *by bus if no other bus service is provided by a private intercity bus*  
4 *company.*

5 (3) Vehicles of the motor carrier, when used to transport  
6 passengers pursuant to paragraph (2), are used exclusively for that  
7 purpose.

8 (4) The motor carrier is registered with the United States  
9 Department of Transportation (DOT) and operates in compliance  
10 with the federal motor carrier safety regulations, and provides  
11 service that is accessible to persons with disabilities in compliance  
12 with applicable DOT regulations pertaining to Amtrak services,  
13 in accordance with the federal Americans with Disabilities Act of  
14 1990 (Public Law 101-336).

15 (d) The department shall incorporate the conditions specified  
16 in subdivision (c) into state-supported passenger rail feeder bus  
17 service agreements between Amtrak and motor carriers of  
18 passengers. The bus service agreements shall also provide that a  
19 breach of those conditions shall be grounds for termination of the  
20 agreements.

21 (e) Notwithstanding subdivisions (c) and (d), the department  
22 may provide funding to Amtrak for the purpose of entering into a  
23 contract with a motor carrier of passengers to transport Amtrak  
24 passengers on buses operated on a route, if the buses are operated  
25 by the motor carrier as part of a regularly scheduled, daily bus  
26 service that has been operating consecutively without an Amtrak  
27 contract for 12 months immediately prior to contracting with  
28 Amtrak.

29 (f) Notwithstanding subdivisions (c) and (d), or any other  
30 provision of law, the department may enter into a contract, either  
31 directly with a public motor carrier in the County of Monterey, or  
32 indirectly with that carrier through a contract with Amtrak, to  
33 provide mixed-mode feeder bus service on the San  
34 Jose-Gilroy-Monterey route. The contract with a public motor  
35 carrier may only be entered into if the department determines that  
36 there is no private motor carrier providing scheduled bus service  
37 on the San Jose-Gilroy-Monterey route. However, the contract  
38 shall be terminated, within 120 days' notice to the public motor  
39 carrier, if a private motor carrier again operates a scheduled service  
40 on the San Jose-Gilroy-Monterey route.

1     (g) *The department shall undertake a two-year study of*  
2 *patronage on the bus service operated between the City of*  
3 *Sacramento and the City of South Lake Tahoe and intermediate*  
4 *points pursuant to paragraph (2) of subdivision (c), identifying*  
5 *the number of passengers who are transferring to an Amtrak rail*  
6 *service and those who are traveling solely on the bus service. The*  
7 *study shall identify the revenue from each category of passengers*  
8 *and shall report on other salient facts about the ridership. The*  
9 *report shall be submitted to the Secretary of the Senate and the*  
10 *Chief Clerk of the Assembly no later than January 10, 2010.*

11     ~~(g)~~

12     (h) For purposes of this section, the following terms have the  
13 following meanings:

14     (1) “Amtrak” means the National Railroad Passenger  
15 Corporation.

16     (2) “Department” means the Department of Transportation or  
17 the department’s successor with respect to providing funds to  
18 subsidize Amtrak service.

19     (3) “Motor carrier of passengers” means a person or entity  
20 providing motor vehicle transportation of passengers for  
21 compensation.

22     (4) “Mixed-mode feeder bus service” means bus service carrying  
23 both passengers connecting to or from a rail service and passengers  
24 only using the bus service.